

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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AUG 22 2003
FCC - MAILROOM

In the matter of)
)
1998 Biennial Regulatory Review --) WT Docket No. 98-182
47 C.F.R. Part 90 - Private Land Mobile)
Radio Services)

OPPOSITION TO PETITION
FOR ACCEPTANCE OF A LATE FILED REPLY COMMENT

Filed by: Dakota Alert, Inc.
Jason Quam (Sales Manager)
P.O. Box 130
Elk Point, SD 57025
605-356-2772

Date: August 20, 2003

1. Dakota Alert, Inc. is one of the few manufactures to bring MURS specific radios to the consumer market. Currently our radios are being used by consumers all around the country.
2. Mr. Corwin Moore of the Personal Radio Steering Group has Filed a Petition for acceptance of a late filed reply comment dated August 7, 2003. Dakota Alert, Inc. does oppose this acceptance for several reasons.
3. In paragraph 2 of Mr. Moore's petition, he states that he received an "indication" that Dakota Alert intended to file an opposition to his previous petition for reconsideration. On July 3rd, 2003, we did not send Mr. Moore an "indication", we had sent him a copy of our opposition as it was sent to the FCC, as required. Mr. Moore simply chose to ignore our opposition. Further, in his reply dated July 21, 2003, Mr. Moore stated that no representative of any manufacturer had claimed that his proposed changes would add unnecessary cost (paragraph 33). However, this is exactly what we claimed in our previous opposition. This may be the reason why Mr. Moore chose to ignore our opposition.
4. In paragraph 3 of Mr. Moore's petition, he claims he did not discover the Dakota Alert opposition on the ECFS until July 31, 2003. This does not take away from the fact that we had mailed him a copy of our opposition on July 3, 2003, as required.
5. In paragraph 4 of Mr. Moore's petition, he references the need to add information

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pertaining to a Radio Shack Corporation flyer that he received. The products in question that he is referring to are GMRS/FRS radios. This may have little relevance to the issue of MURS in his original Petition for Reconsideration.

6. In paragraph 5 of Mr. Moore's petition, he states that he has prepared supplemental reply comments with regards to the Dakota Alert opposition. Mr. Moore's comments are a largely personal attack against Dakota Alert. In his seven page comment, Mr. Moore accuses Dakota Alert of being foolish, ignorant, naïve and wrong on nearly every point we raised. Further, in his reply dated July 21, 2003, Mr. Moore again takes a stance of launching personal attacks against other parties that filed opposition to his original petition.

7. In paragraph 6 of Mr. Moore's petition, he implies that the reason he chose to ignore the original Dakota Alert opposition is due to FCC deficiencies. However, Mr. Moore had a copy of our opposition in hand when he filed his original 17 page reply dated July 21, 2003. For this reason we ask that the FCC not accept Mr. Moore's comments from August 7, 2003 as timely filed.

8. I certify that on this date (August 20, 2003), I have sent a copy of these comments via USPS first class mail to the following party:

Corwin D. Moore, Jr.
Personal Radio Steering Group
PO Box 2851
Ann Arbor, MI 48106

A handwritten signature in black ink, appearing to read 'Jason Quam', with a long horizontal line extending to the right.

Jason Quam
Sales manager
Dakota Alert, Inc.